

PERMITS NO LONGER REQUIRED FOR FENCES OR WALLS

Recently, the Virginia Uniform Statewide Building Code (VUSBC) ceased requiring the Building Code official of a locality in Virginia to require that a building permit be obtained prior to beginning construction or erection of most fences and walls in localities in the state. However, a permit is still required before beginning construction of fencing in regards to swimming pools, containment of hazardous materials and retaining type walls.

While the need to obtain a building permit to erect or construct most fences or walls has ceased, the requirements of the York County Zoning Ordinance concerning allowable locations and heights of fences remain in effect.

Section 24.1-271(j) of the Zoning Ordinance provides that, when erecting or constructing fences or walls in residential areas, fences in rear yards are restricted to a height of no more than eight (8) feet, in side yards the height is restricted to no more than six (6) feet, and in front yards, the height may not exceed four (4) feet.

No barbed wire or electrified fences are permitted except in conjunction to a bona fide agricultural operation (keeping of horses in residentially zoned areas is not classified as an agricultural operation).

Finally, all fences, when erected, must be constructed with the “finished side” facing outwards towards surrounding properties or rights-of-ways, except when such requirement is waived by the Zoning Administrator.

Fences or walls constructed on commercial or industrial properties are subject to similar requirements except that maximum heights are as follows: side and rear yards – maximum eight (8) feet; front yards – maximum six (6) feet.

In all districts, fences must be located so as not to block visibility at street or driveway or circulation intersections.

All questions regarding fences or walls should be directed to the Division of Development and Compliance at 757.890.3523. Property owners are strongly encouraged to consult with the Division prior to erecting fences or walls to ensure that they meet all applicable standards.